

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-18-1997

PAGE: A-133

RIGHT NUMBER: 43-10309

NAME & ADDRESS: JAMES POWERS
SUBLETT RT
MALTA ID 83342

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 04/30/1985

POINT OF DIVERSION: T12S R28E S34 NENESW Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CASSIA County
T12S R28E S34 NESW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 12S28E342400A

Claim proofread by: KJ

Date: 9-5

08/16/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-10309

NAME AND ADDRESS: TODD POWERS
TYLER POWERS
1352 S 3200 E
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 04/30/1978

POINT OF DIVERSION: T12S R28E S34 LOT 0 NENESW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE
1-01 12-31

QUANTITY
0.04 CFS

PLACE OF USE:

DOMESTIC Within CASSIA County
T12S R28E S34 NESW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL NO. 12S28E342400A

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
39576
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER:

Ident. Number 43-10309
Date Received: 6/1/89
Receipt No:
Received By: AMENDED /SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

Name: TODD POWERS
TYLER POWERS

Phone: (208) 645-2578

Address: 1352 S 3200 E
MALTA ID USA 83342

2. Date of Priority: 04/30/1978

3. Source: Ground Water Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
12S	28E	34	NE NE SW	0	CASSIA

5. Description of diverting works:

WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or) A.F.A
DOMESTIC	01/01	12/31	0.04 0

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
12S	28E	34	NE	SW	DOMESTIC	0
					Section Acres	0
					Total Acres	0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used: NONE

14. Remarks:

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Judd Powers Date: 7-7-00
_____ Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of July 2000 Steve Cellmer

Notary Public

Residing at Twin Falls ID

My commission Expires 12/7/2000

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED**JUL 07 2000**Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right No(s): ✓ A43-10309 , ✓ A43-04106D , A43-10307A
 Adjudication Claim No(s): _____

2. The following **REQUIRED** information must be submitted with this form:

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claims(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**. *(See file)*

3. Name and Address of Former Owner/Claimant James Powers
P.O. Box 656. MALTA, ID 83342

4. New Owner/Claimant(s) ~~Wendy Clark Powers~~ Todd & Tyler Powers
 Name Connector (Check one): ☒ and, ☐ or, ☒ and/or
 New Mailing Address 1362 S. 3200 E.

City, State and ZIP Code MALTA, ID 83342

New Telephone Number (208) 645-2578

5. Date you acquired the property 4-7-1997

Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s) Todd Powers

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

ASCS MAPS IN FILE ALREADY. 7/7/00 scw



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 11, 2000

TODD &/OR TYLER POWERS
1352 S 3200 E
MALTA ID 83342

RE: Change of Ownership of SRBA Claims 43-4106D, 43-10307A & 43-10309

Dear Mr. Powers,

Pursuant to your request for a change in ownership and/or the notification that you recently purchased portions of the property in which the above-referenced adjudication claim(s) is appurtenant, the department has changed the record of the current owner as requested for rights listed above.

Please find enclosed a copy of your adjudication claim, as it now appears in our records. Please refer to this numbers above for future correspondence. You have already received the copy for the amended claim 43-10309 when you were in my office on July 7th.

If you have any further corrections or questions please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Clelland'.

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

For Value Received

JAMES ELLIS POWERS and ROZANN POWERS, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

TODD POWERS and TINA POWERS, husband and wife, and
TYLER POWERS and JILL POWERS, husband and wife
Address: 1352 South 3200 East Box 1081
Malta, Idaho 83342

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

TOWNSHIP 12 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 33: NE $\frac{1}{4}$

Section 34: N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$, EXCEPTING THEREFROM the following
described parcels:

Parcel No. 1:

Beginning at the Southeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of
said Section 34;
Thence West along the South boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$
350 feet;
Thence North parallel to the East boundary of the
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 250 feet;
Thence East parallel to the South boundary of the
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 350 feet to a point on the East boundary
of the NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence South along the East boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$
250 feet to the Point of Beginning.

Parcel No. 2:

Part of the W $\frac{1}{2}$ of Section 34 of Township 12 South, Range 28 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the SW corner of the N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 34 of T.12 S., R.28 E., B.M. said corner marked by a 5/8" rebar which shall be the Point of Beginning;

Thence North 00°22'22" West along the west line of Section 34 for a distance of 1331.82 feet to a 5/8" rebar at the west $\frac{1}{4}$ section corner of Section 34;

Thence North 00°22'22" West along the west line of Section 34 for a distance of 719.55 feet;

Thence South 29°04'39" East for a distance of 74.91 feet to a $\frac{1}{2}$ " rebar;

Thence South 29°04'39" East for a distance of 78.87 feet to a $\frac{1}{2}$ " rebar;

Thence South 65°48'07" East for a distance of 399.79 feet to a $\frac{1}{2}$ " rebar;

Thence South 65°08'39" East for a distance of 956.68 feet;

Thence South 02°08'44" West for a distance of 74.28 feet to a $\frac{1}{2}$ " rebar;

Thence South 00°07'58" East for a distance of 1276.47 feet to a $\frac{1}{2}$ " rebar on the south line of the

TOWNSHIP 12 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 34: Part of the W $\frac{1}{2}$, more particularly described as follows:

Beginning at the Southeast corner of the N $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 34, said corner marked by a 5/8 inch rebar; Thence South 89°59'24" West along the South line of the N $\frac{1}{2}$ SW $\frac{1}{4}$ for a distance of 350.00 feet to the Point of Beginning;
Thence South 89°59'24" West along the South line of the N $\frac{1}{2}$ SW $\frac{1}{4}$ for a distance of 988.54 feet to a 1/2 inch rebar;
Thence North 00°07'58" West for a distance of 1276.47 feet to a 1/2 inch rebar;
Thence South 63°58'52" East for a distance of 562.52 feet to a 1/2 inch rebar;
Thence South 73°48'51" East for a distance of 473.76 feet to a 1/2 inch rebar;
Thence South 14°41'49" East for a distance of 147.78 feet to a 1/2 inch rebar;
Thence South 82°33'28" East for a distance of 272.56 feet to a 1/2 inch rebar;
Thence South 82°33'28" East for a distance of 70.56 feet to the East line of the W $\frac{1}{2}$ SW $\frac{1}{4}$;
Thence South 00°15'52" East along the East line of the W $\frac{1}{2}$ SW $\frac{1}{4}$ for a distance of 460.03 feet;
Thence South 89°59'24" West for a distance of 350.00 feet;
Thence South 00°15'52" East for a distance of 250.00 feet to the Point of Beginning.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1996 and subsequent years.

Accruing taxes, levies and assessments; easements and rights of way of record if any.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: April 7, 1997



James Ellis Powers



Rozann Powers

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-8-1997

PAGE: A-138

RIGHT NUMBER: 43-10309

NAME & ADDRESS: JAMES POWERS
SUBLETT RT
MALTA ID 83342

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 04/30/1985

POINT OF DIVERSION: T12S R28E S34 NENESW Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC DOMESTIC, 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CASSIA County
T12S R28E S34 NESW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

PARCEL NO. 12S28E342400A

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Claim data entry by: BS T

Date: 8/13/97

Data entry verified by: JWL

Date: 8-15-97

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A43-10309
Date Received: 6/01/1989
Receipt No: S007436
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES POWERS
Address: SUBLETT RT.
MALTA, ID 83342 208-645-2296

2. Date of Priority: APR 30, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12S	28E	34	NE	NE	SW		CASSIA

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
12S	28E	34	NE	SW		DOMEST	

11. Place of use in counties: CASSIA

A43-10309

Page 1

Date: 06/01/89

MICROFILMED
MAR 05 1993

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): James Sowers Date: 6-1-89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 1st day
of 1st June 19 89 Steve Coak
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7, 1994

